

ORIGINAL

FILED

July 27 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 09-_____

STATE OF MONTANA,

Respondent and Appellee,

v.

JERRY PAUL GONZALES,

Defendant and Appellant,

FILED

JUL 27 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

NOTICE OF APPEAL

On Appeal from the Montana Thirteenth Judicial District Court
Yellowstone County, Gregory R. Todd

APPEARANCES:

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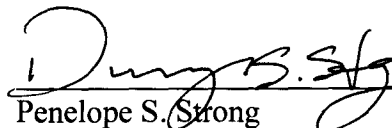
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NOW COMES JERRY PAUL GONZALES, Appellant in the above matter, and appearing by his counsel, Penelope S. Strong, and hereby provides notice of his intent to appeal the judgment and conviction of the district court, pronounced on May 27, 2008, in State of Montana v. Jerry Paul Gonzales, Cause No. DC 07-1022, to the Montana Supreme Court. This Notice of Appeal is filed pursuant to Mont. Rule App. Pro. 4 (5)(b)(c).

THE APPELLANT FURTHER CERTIFIES:

1. That this appeal is not subject to the mediation process required by M.R. App. 76, and that this appeal is not an appeal from an order certified as final under M.R. Civ. P. 54(b), and that the notice required by M.R. App. P. 27 has been or will be given within eleven (11) days of the date thereof, to the Supreme Court and to the Montana Attorney General with respect to a challenge to the constitutionality of any act of the Montana Legislature.
2. That all available transcripts of the proceedings in Cause No. DC 07-1022 has been ordered from the Court Reporter contemporaneously with the filing of this Notice of Appeal.
3. No filing fee is required at law for this appeal from a criminal judgment.

DATED this 24th day of July, 2009.


Penelope S. Strong
Attorney for Appellant

CERTIFICATE OF SERVICE

I, hereby certify that I have filed a true and accurate copy of the foregoing Notice of Appeal with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record, and each party not represented by attorney in the above-referenced District Court action as follows:

Scott Twito
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Carol Muessig
Clerk of District Court
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A handwritten signature in cursive script, appearing to read "Robbin Iverson", is written over a horizontal line.

Robbin Iverson